

IC 20-26-14

Chapter 14. Interscholastic Athletic Associations

IC 20-26-14-1

"Association"

Sec. 1. As used in this chapter, "association" means an organization that conducts, organizes, sanctions, or sponsors interscholastic high school athletic events as the organization's primary purpose.

As added by P.L.1-2005, SEC.10.

IC 20-26-14-2

"Case"

Sec. 2. As used in this chapter, "case" refers to a decision of the association:

- (1) that concerns the application or interpretation of a rule of the association to an individual student; and
- (2) with which the student's parent disagrees.

As added by P.L.1-2005, SEC.10.

IC 20-26-14-3

"Panel"

Sec. 3. As used in this chapter, "panel" refers to the case review panel established under section 6 of this chapter.

As added by P.L.1-2005, SEC.10.

IC 20-26-14-4

"State superintendent"

Sec. 4. As used in this chapter, "state superintendent" refers to the state superintendent of public instruction.

As added by P.L.1-2005, SEC.10.

IC 20-26-14-5

Participation in association by schools

Sec. 5. A school corporation may participate in:

- (1) an association; or
- (2) an athletic event conducted, organized, sanctioned, or sponsored by an association;

if the association complies with this chapter.

As added by P.L.1-2005, SEC.10.

IC 20-26-14-5.5

Association notification requirements

Sec. 5.5. (a) Not later than three (3) business days after the association makes a decision concerning the application or interpretation of a rule of the association to an individual student, the association shall notify by registered or certified mail the following of the association's decision:

- (1) The student's parent.
- (2) The student's school.

(b) In its notice to the parent under subsection (a)(1), the association shall include information about the process under this chapter for appealing the association's decision.

(c) The association shall conduct its investigation, review, and decision making in an expeditious manner.

As added by P.L.92-2010, SEC.1.

IC 20-26-14-6

Case review panel; membership; meetings; decisions of panel

Sec. 6. (a) The association must establish a case review panel that meets the following requirements:

- (1) The panel has nine (9) members.
- (2) The state superintendent or the state superintendent's designee is a member of the panel and is the chairperson of the panel.
- (3) The state superintendent appoints as members of the panel persons having the following qualifications:
 - (A) Four (4) parents of high school students.
 - (B) Two (2) high school principals.
 - (C) Two (2) high school athletic directors.
- (4) The state superintendent shall administer the functions of the panel.
- (5) A member of the panel serves for a four (4) year term, subject to the following:
 - (A) An appointee who ceases to meet the member's qualification under subdivision (3) ceases to be a member of the panel.
 - (B) The state superintendent shall appoint fifty percent (50%) of the initial appointees under each clause in subdivision (3) for terms of two (2) years, so that terms of the panel are staggered.
- (6) The panel must meet monthly, unless there are no cases before the panel. The panel may meet more frequently at the call of the chairperson. However, the chairperson must call a meeting within five (5) business days, or as soon thereafter as a quorum can be assembled, after the panel receives a case in which time is a factor in relation to the scheduling of an athletic competition.
- (7) A quorum of the panel is five (5) members. The affirmative vote of the greater of the majority present or four (4) members of the panel is required for the panel to take action.

(b) A student's parent who disagrees with a decision of the association concerning the application or interpretation of a rule of the association to the student shall have the right to do one (1) of the following:

- (1) Accept the decision.
 - (2) Refer the case to the panel. The parent must refer the case to the panel not later than thirty (30) days after the date of the association's decision.
- (c) After a case is referred under subsection (b)(2), the panel must

do the following:

(1) Collect testimony and information on the case, including testimony and information from both the association and the parent.

(2) Place the case on the panel's agenda and consider the case at a meeting of the panel.

(3) Not later than ten (10) business days after the meeting at which the panel considers the case, issue a written decision that does one (1) of the following:

(A) Upholds the association's decision on the case.

(B) Modifies the association's decision on the case.

(C) Nullifies the association's decision on the case.

(d) Subject to section 7 of this chapter, the association must implement the decision of the panel on each case. However, a decision of the panel:

(1) applies only to the case before the panel; and

(2) does not affect any rule of the association or decision under any rule concerning any student other than the student whose parent referred the case to the panel.

(e) The association shall pay all costs attributable to the operation of the panel, including travel and a stipend of at least fifty dollars (\$50) for each meeting for panel members.

As added by P.L.1-2005, SEC.10. Amended by P.L.92-2010, SEC.2.

IC 20-26-14-7

Legal actions

Sec. 7. (a) If the association or the parent who referred a case to the panel under section 6(b)(2) of this chapter disagrees with the decision of the panel, the association or the parent may file a legal action to review the panel's decision.

(b) An action must be filed under subsection (a) with a court with jurisdiction not later than forty-five (45) days after the panel issues its decision under section 6(c) of this chapter.

(c) In an action brought under this section, the court may reverse the panel's decision if the court, upon its own review of the facts and issues involved in the decision and the applicable rule of the association, determines that the decision of the panel, or the decision of the association upheld by the panel, is:

(1) not a fair and logical interpretation or application of the association's rule;

(2) arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law;

(3) contrary to a constitutional right, power, privilege, or immunity;

(4) in excess of statutory jurisdiction, authority, or limitations, or short of statutory right;

(5) without observance of procedure required by law; or

(6) unsupported by substantial evidence.

(d) The court reviewing a panel decision under this section may do any of the following:

- (1) Affirm the panel's decision.
- (2) Modify the panel's decision.
- (3) Reverse the panel's decision and remand the action to the panel for action directed by the court.

(e) Notwithstanding this chapter, if an association fails to follow its bylaws regarding hearing and appeals procedures, a student or the student's parent may proceed directly to a court with jurisdiction to resolve a dispute.

As added by P.L.92-2010, SEC.3.